

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GINA N. FELTON,

Plaintiff,

v.

UPMC SENECA PLACE,

Defendant.

2:05cv1774

Electronic Filing

Judge Cercone

Magistrate Judge Hay

**ORDER**

AND NOW, this 3<sup>rd</sup> day of October, 2006, after the plaintiff, Gina N. Felton, filed an action in the above-captioned case, and after a Motion to Dismiss for Failure to Prosecute was filed by defendant, UPMC Seneca Place, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the defendant's Motion to Dismiss for Failure to Prosecute [Document No. 16] is GRANTED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order she must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



DAVID STEWART CERCONI  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

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